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Venisha Brown, Michael D. Brown, Nicole C. Brown, Jeanette Mitchell Bellinger,  
Sarah LaTonya Fegan, Ciara Pettit and Cherquarius Williams

**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**

DEANNA BROWN-THOMAS, an  
individual, YAMMA BROWN, an  
individual, VENISHA BROWN, an  
individual, MICHAEL D. BROWN, an  
individual, NICOLE C. BROWN,  
JEANETTE MITCHELL BELLINGER,  
an individual, SARAH LATONYA  
FEGAN, an individual, CIARA  
PETTIT, an individual, and  
CHERQUARIUS WILLIAMS, an  
individual,

Plaintiffs,

vs.

TOMMIE RAE HYNIE a.k.a. TOMMIE  
RAE BROWN, an individual, JAMES  
BROWN II, an individual, RUSSEL L.  
BAUKNIGHT, as the Personal  
Representative of the Estate of James  
Brown and Trustee of The James Brown  
“I Feel Good” Trust; DAVID C.  
SOJOURNER, JR., as the Limited  
Special Administrator of the Estate of  
James Brown and Limited Special  
Trustee of The James Brown “I Feel  
Good” Trust, and DOES 1 through 10,  
inclusive,

Defendants.

Case No.: 2:18-cv-00307 SVW (JPRx)

**NOTICE OF RECENT DECISION**  
**IN *ESTATE OF JAMES BROWN***

Assigned to Hon. Stephen V. Wilson

1 Plaintiffs hereby submit the following Notice of Recent Decision in the matter  
 2 of *In re Estate of James Brown a/k/a James Joseph Brown*,<sup>1</sup> issued by the South  
 3 Carolina Court of Appeals on July 25, 2018 (the “South Carolina Decision”). A true  
 4 and correct copy of the South Carolina Decision is submitted herewith as **Exhibit A**.  
 5 Declaration of Douglas Fretty, Ex. A.

6 In the South Carolina Decision, the Court of Appeals affirms the Aiken  
 7 County, South Carolina trial court order declaring that the marriage between  
 8 Tommie Rae Hynie, a.k.a Tommie Rae Brown (“Hynie”) and the late James Brown  
 9 (“Brown”) was not a bigamous marriage. *See id.*, Ex. A at 2. The Court of Appeals  
 10 thus affirms the trial court’s ruling that Hynie’s and Brown’s marriage was valid and  
 11 that Hynie is Brown’s surviving spouse. *Id.* at 10-11.

12 The South Carolina Decision answers an issue that was raised in the pending  
 13 Motions To Dismiss of Defendants Russell L. Bauknight, David. C. Sojourner, Jr.,  
 14 and Hynie (Dkt. 21, 23, 28). Plaintiffs’ Complaint assumes, for the purposes of this  
 15 action, the validity of the South Carolina ruling as to Hynie’s status as Brown’s  
 16 surviving spouse. Dkt. 1 ¶ 10. However, the Defendants nonetheless asserted that  
 17 Plaintiffs’ claim lacks “ripeness” because, according to Defendants, the issue of  
 18 Hynie’s spousal status was being appealed to the South Carolina Court of  
 19 Appeals. *See* Dkt. 21 at 20; Dkt. 23 at 16; Dkt. 28 at 11. In response, Plaintiffs have  
 20 asserted that this action does not lack ripeness, based on the Complaint’s claims and  
 21 allegations that are not dependent on Hynie’s status as Brown’s spouse. *See* Dkt. 56  
 22 at 21; Dkt. 57 at 16; Dkt. 58 at 8. Notwithstanding that side-dispute, the South  
 23 Carolina Decision resolves the putative question of ripeness by affirming the trial  
 24 court’s determination of Hynie’s spousal status.

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 27 <sup>1</sup> Full case title: *In re: The Estate of James Brown a/k/a James Joseph Brown,*  
 28 *Tommie Rae Brown v. David C. Sojourner, Jr., et al.*, Appellate Case No. 2015-  
 002417 (S.C. Ct. App. July 25, 2018).

1 Respectfully submitted,

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3 Dated: July 29, 2018

TOBEROFF & ASSOCIATES, P.C.

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5 By: /s/ Marc Toberoff  
6 Marc Toberoff

7 Attorneys for Plaintiffs  
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